

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TOMMIE LEE McDOWELL, JR,	)	3:12-cv-00249-RCJ-WGC
	)	
Plaintiff,	)	<b><u>MINUTES OF THE COURT</u></b>
vs.	)	
	)	February 22, 2013
RICHARD RIMINGTON, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Before the court is Plaintiff's Motion and Request to Supplement the Pleadings (Doc. #28). Plaintiff states that following receipt of certain discovery responses, certain matters "have come to light, altering the landscape of this litigation in several palpable respects." (*Id* at 2.) Plaintiff seeks to "supplement" the pleadings with added claims of retaliation and conspiracy against Defendant Ronald Bryant. It should be noted Plaintiff's motion does more than "supplement the pleadings"; instead, it seeks to add new causes of action (retaliation and conspiracy) which are not averred in his pending complaint. Thus, Plaintiff's filing should have been a motion for leave to file an amended complaint.

Defendants have opposed the motion (Doc. # 29), based upon Plaintiff's failure to submit a copy of the proposed amended complaint.<sup>1</sup> Local Rule 15-1(a) requires that a party moving to amend a pleading "attach the proposed amended pleading to any motion to amend, so that it will be complete in itself without reference to the superseding pleading."

Although Plaintiff's motion was timely filed, it is not in compliance with Local Rule 15-1(a). Therefore, Plaintiff's motion to supplement the pleadings (Doc. # 28) is **DENIED**.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: /s/  
Deputy Clerk

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<sup>1</sup> Defendants erroneously rely upon Local Rule 7015, which rule is found in the Local Rules of Bankruptcy Practice. The operative rule pertaining to amendment of pleadings in civil matters is Local Rule 15-1.